

## **Senate Joint Resolution No. 28**

### **RESOLUTION CHAPTER 137**

Senate Joint Resolution No. 28—Relative to the 2020 Census.

[Filed with Secretary of State September 7, 2010.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

**SJR 28, Kehoe. The 2020 Census.**

This measure would urge the Congress, the President of the United States, and the Secretary of Commerce to enact legislation or adopt policies to have the 2020 Census and other surveys gather data on sexual orientation and gender identity.

WHEREAS, The Constitution of the United States and federal statutory law require the federal government to perform a census of people living in the United States; and

WHEREAS, The federal government uses data collected from the census for the allocation of federal funds, including, but not limited to, funding for hospitals, job training centers, schools, public works projects, and emergency services; and

WHEREAS, The number of representatives allocated to a state to serve in the United States House of Representatives is based on data collected from the census; and

WHEREAS, Statistics based on data collected from the census are used for a myriad of public benefit purposes, including, but not limited to, quality of life issues and advocacy; and

WHEREAS, Census data that is available is principally related to same-sex couples; and

WHEREAS, Statistics based on data from the 2000 Census have estimated that approximately 5.87 million people in the United States are gay or lesbian; and

WHEREAS, The 2010 Census will be the first census to release a count of both same-sex spouses and same-sex unmarried partners; and

WHEREAS, The census discriminates against the lesbian, gay, bisexual, and transgender community because it does not currently include questions regarding sexual orientation; and

WHEREAS, The census also discriminates against transgender respondents by failing to take into account gender identity; and

WHEREAS, Same-sex couples are raising children throughout the country with significantly less economic resources than heterosexual married couples; and

WHEREAS, Same-sex couple families are significantly more likely to be classified as poor than are heterosexual married families; and

WHEREAS, The census discriminates against the lesbian, gay, bisexual, and transgender community by not having policies in place that identify and count members of this community; and

WHEREAS, If the census were to count members of the lesbian, gay, bisexual, and transgender community, the data could be used to appropriately allocate resources and services to this community just as it does other communities; now, therefore, be it

*Resolved by the Senate and the Assembly of the State of California, jointly,* That the Legislature urges the Congress and the President of the United States to enact legislation to have the 2020 Census gather data on sexual orientation and gender identity; and be it further

*Resolved,* That the Legislature calls upon the President of the United States to encourage, and the Secretary of Commerce to adopt, policies to include the collection of data on sexual orientation and gender identity in the 2020 Census and future surveys and censuses conducted by the United States Census Bureau; and be it further

*Resolved,* That the Secretary of the Senate transmit copies of this resolution to the President of the United States, each Senator and Representative in the Congress of the United States, and to the presiding officer of each house of each state legislature of the states.